IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 12675 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

PREMJI RAMJI @ RAMESH PATEL

Versus

COMMISSIONER OF POLICE

Appearance:

MR ANIL S DAVE for Petitioner

MR SAMIR DAVE AGP for Respondent No. 1, 2, 3

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 14/02/2001

ORAL JUDGEMENT

It is not in dispute that the statement of the anonymous witnesses were verified by the detaining authority on 15.10.2000 and this detention order has been passed on 16.10.2000. It is submitted that this matter is squarely covered by the decision of this court in the case of

Ranubhai Bhikhabhai Bharwad (Vekaria) Vs. State of Gujarat & Ors. reported in 2000(3) GLR 2696. The learned counsel for the respondents does not dispute this position. In view of the concession made by the learned counsel for the respondents, this petition deserves acceptance and according the same is allowed. The order of detention of the petitioner dated 16.10.2000 is quashed and set aside. The petitioner Premji Ramji @ Ramesh Patel, the detenu, at present in Rajkot Jilla Jail, Rajkot, be set at liberty forthwith, if he is not required in any other case. Rule is made absolute. As the learned counsel for the respondents has come up with all fairness no order as to costs.

(S.K.Keshote, J.)

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